SINGLE BENCH

P.R. No. 4722/05 Alwadh Tripathi 13/9/05

(1)

O.S. 1001/3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. OF 2005

BETWEEN

Chintamani Patel S/o Late Devnath Patel, aged about 51 years, occupation agriculturist, Ex.Sarpanch, Gram Panchayat Lendra,Block Baramkela,Tahsil Sarangarh District Raigarh (CG).

PETITIONER

A N D

1. The State of Chhattisgarh,through Secretary Panchayat and Social Welfare, D.K.S.Building Raipur (CG).

2. Deputy Director, Panchayat and Social Welfare Raigarh (CG).

3. Secretary Gram Panchayat Lendra, Block Baramkela Janpad Panchayat Baramkela District Raigarh .

4. Chief Executive Officer, Janpad Panchayat Baramkela, District Raigarh .

5. Chakradhar Patel ,Ex.Sarpanch, Gram Panchayat Lendra , Block Baramkela ,r/o Block Baramkela Tahsil Sarangarh District Raigarh .

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

शपथ आयुक्त

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.4666/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

18.11.2005

Shri Awadh Tripathi learned counsel for the petitioner.
Shri Sandeep Dubey GA for the respondent/State.

Heard.

The petitioner has filed the instant petition challenging the issuance of show cause notice dated 24.3.2005 by the respondent No.2 calling upon him to show cause as to why recoveries pertaining to the year 1992-93 and 1993-94 for a sum of Rs. 50,031.05 be not made from him.

Grievance of the petitioner is that by the impugned show cause notice in fact the petitioner has been directed to deposit the above sum in the account of the concerned Gram Panchayat and before issuing such direction no opportunity of hearing has been given to the petitioner.

Learned counsel for the petitioner submits that the ends of justice will be served if the petitioner is given liberty of making representation to the concerned Officer against issuance of show cause notice of annexure P-2 and after making such representation the same may be directed to be considered after affording an opportunity of hearing to the petitioner.

Learned counsel for the respondents does not oppose the above prayer of the petitioner.

In view of above, the petition is disposed of with a direction that the petitioner shall submit a representation detailing his grievance against

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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21	issuance of show cause notice of annexure P-2, within 15 days form today and the respondent No.2 shall decide the same within a period of two months from the date of receipt of the same after affording due opportunity to the petitioner. Sd/- Dhirendra Mishra Judge	

SP/FS/2005 - 20,000